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09/760,935	01/15/2001	Gerald M. Cooper	1280.00286	3403

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ERICSSON INC.  
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M/S EVR C11  
PLANO, TX 75024

EXAMINER

MEUCCI, MICHAEL D

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/760,935

**Applicant(s)**

COOPER, GERALD M.

**Examiner**

Michael D Meucci

**Art Unit**

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This Action is in regards to the Request for Reconsideration received on 03 August 2004.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-12, and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Gabber et al (U.S. 6,591,291) hereinafter referred to as Gabber.

a. As per claim 1, Gabber teaches a port receiving and transmitting email (communications circuitry of FIG. 2); a server (lines 33-35 of column 4); generation of an alias source address associated with email and transmitted to a destination address (lines 55-57 of column 2); dynamic address associated with a separate domain, used only for dynamic addresses (lines 45-67 of column 6 and lines 1-51 of column 7); alias source address being anonymous (abstract); and filtering incoming reply mail based on the alias source address (lines 6-7 of column 8).

b. As per claim 2, Gabber teaches a distributed network coupled together to form the Internet (lines 27-30 of column 4 and FIG. 1), which inherently includes a router for communication in a network.

c. As per claim 3, Gabber teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6), in which a dynamic address "tag" associated with the destination is thereby created; and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7), since the dynamic address tag is included in "all remaining data" which is stored in the e-mail message.

d. As per claim 4, Gabber teaches filtering incoming reply mail based on the alias source address (lines 20-26 of column 3), which contains information about the destination address (lines 8-9 of column 7).

e. As per claim 7, Gabber teaches including a version of the real source address, which is the user name, in the alias source address (lines 9-11 of column 3).

f. As per claim 8, Gabber teaches a port receiving and transmitting email (communications circuitry of FIG. 2); a server (lines 33-35 of column 4); generation of an alias source address associated with email and transmitted to a destination address (lines 55-57 of column 2); dynamic address associated with a separate domain, used only for dynamic addresses (lines 45-67 of column 6 and lines 1-51 of column 7); alias source address being anonymous (abstract); filtering incoming reply mail based on the alias source address (lines 6-7 of column 8); the alias source address being based on

the destination address of the e-mail message (lines 7-8 of column 6); and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7).

g. As per claim 9, Gabber teaches a distributed network coupled together to form the Internet (lines 27-30 of column 4 and FIG. 1), which inherently includes a router for communication in a network.

h. As per claim 10, Gabber teaches a method of filtering email to a user (lines 21-22 of column 3); generation of an alias source address associated with email and transmitted to a destination address (lines 55-57 of column 2); dynamic address associated with a separate domain, used only for dynamic addresses (lines 45-67 of column 6 and lines 1-51 of column 7); alias source address being anonymous (abstract); and filtering incoming reply mail based on the alias source address (lines 6-7 of column 8).

i. As per claim 11, Gabber teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6); and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7).

j. As per claim 12, Gabber teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6); and filtering incoming reply mail based on the alias source address (lines 20-26 of column 3), which contains information about the destination address (lines 8-9 of column 7).

k. As per claim 15, Gabber teaches the alias source address including an encrypted version of the real source address (lines 9-11 of column 3).

I. As per claim 16, Gabber teaches the alias source address being based on the destination address of the e-mail message (lines 7-8 of column 6); dynamic address associated with a separate domain, used only for dynamic addresses (lines 45-67 of column 6 and lines 1-51 of column 7); and dynamic address tag being contained in the e-mail message itself (lines 8-9 of column 7).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber as applied to claims 1 and 10 respectively above, in further view of Maas, Robert E (Google Group news.admin.net-abuse.email, 06/05/1997).

Gabber fail to teach forwarding email addressed to dynamic address for only a selected period of time. However, Maas discloses specifying a time limit so the person can receive emails from a particular person, company, or range of persons/companies, until the time limit is reached (page 3, paragraph 1).

One of ordinary skill in the art at the time of the applicant's invention would have clearly recognized that it is quite advantageous for the email filtering system of Gabber to provide a reply time limit for filtering mail and thereby reducing any of the following: disk space, CPU cycles, user filtering time, disposal time, and perhaps connection

charges (page 1, paragraph 4 in Mass). It is for this reason that one of ordinary skill in the art would have been motivated to forward email from the server to the user for only a selected period of time in the system as taught by Gabber.

b. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber as applied to claims 1 and 10 respectively above, in further view of Parker, Rob (Google Group news.admin.net-abuse.email, 06/17/1998).

Gabber fail to teach forwarding only a selected amount of email addressed to dynamic address. However, Parker discloses that additional measures could be employed on the servers to enforce other policies and limit the amount of spam that can get out (page 3, paragraph 3).

One of ordinary skill in the art at the time of the applicant's invention would have clearly recognized that it is quite advantageous for the email filtering system of Gabber to provide means to limit the amount of email that is sent out from the server. This would reduce the amount of unsolicited commercial email (UCE) and/or unsolicited bulk email (UBE) that the user would have to manually filter. It is for this reason that one of ordinary skill in the art would have been motivated to include means for limiting the amount of email that is forwarded by the server to the user in the system as taught by Gabber.

### ***Response to Arguments***

4. Applicant's arguments filed 03 August 2004 have been fully considered but they are not persuasive. The amended claims do not overcome the rejections based on the cited prior art.

5. (A) In response to applicant's arguments, the amended recitation "a first user address associated with the provider's domain" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

As to point (A), although the above stated recitation has not been given patentable weight, it has been found inherent in the system of Gabber. For example: the user address johndoe@ISPdomain.com is inherently associated with his service provider "ISP".

6. (B) Regarding claims 1, 8, 10, and 16, the applicant asserts that Gabber does not teach or suggest the emphasized limitation in amended claim 1.

As to point (B), the applicant's argument that the amendments to the claims overcome the Gabber reference is not persuasive. The applicant argues that Gabber bases the alias on a hash of the destination address and does not provide one or more separate domains for generating dynamic alias addresses for emails. The examiner respectfully disagrees. Gabber teaches selectively creating a dynamic address



associated with a separate domain, used only for dynamic address, as a sending address associated with email transmitted to a target... This aspect can be found in lines 45-67 of column 6 and lines 1-51 of column 7 in the examples showing conversion from the foo\_bar@bell-labs.com address to the wxOnlqlUUExJxzwVSsfKgW@lpwa.com and www.yahoo.com.foo\_bar.bell-labs.com@lpwa.com addresses. The lpwa.com domain used in the example is clearly shown to be an alternate and separate domain than the bell-labs.com domain. Because it is a form of an encrypted or hashed domain, it must be used only for dynamic addresses since aliasing to known addresses (i.e. another person's or company's registered domain) without their permission is illegal.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Logan et al. (U.S. 5,968,121) discloses method and apparatus for representing and applying network topological data and backup domains.

Tout (U.S. 6,182,148 B1) discloses method and system for internationalizing domain names.

Hacherl (U.S. 6,324,571 B1) discloses floating single master operation, switching, and backup domains.

Satagopan et al. (U.S. 6,457,053 B1) discloses multi-master unique identifier allocation and domain replicas.

The prior art made of record in the previous office action are still considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

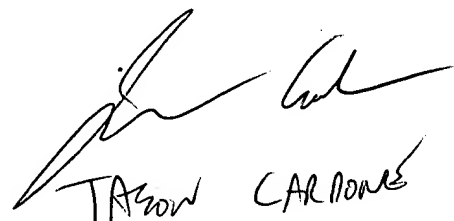
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached at (571) 272-3896. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MDM 12/2/04

  
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